

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Numbering Resource Optimization)	
)	
Petition of the Connecticut Department of Public)	
Utility Control for Delegated Authority To)	CC Docket No. 99-200
Implement Specialized Transitional Overlays)	
)	
Petition for Clarification of Cellular)	
Telecommunications & Internet Association)	

ORDER

ADOPTED: March 9, 2007

RELEASED: March 9, 2007

By the Acting Chief, Competition Policy Division, Wireline Competition Bureau:

1. In this Order, we address a Petition for Clarification of a Memorandum Opinion and Order in the Commission's *Numbering Resource Optimization* proceeding.¹ Specifically, we dismiss the Petition filed by the Cellular Telecommunications & Internet Association (CTIA) requesting clarification of the interaction between the possible implementation of a specialized overlay (SO)² for the 203 and 860 NPAs and the Commission's local number portability (LNP) requirements.³ As explained below, the Petition is dismissed as premature because it raises issues that are not before the Federal Communications Commission (Commission).

2. On May 23, 2003, the Commission released the *Connecticut SO Order* conditionally granting the Connecticut Department of Public Utility Control's (Connecticut DPUC's) petition to implement SOs for the 203 and 860 NPAs.⁴ The Commission delegated to the Connecticut DPUC the authority to

¹ *Numbering Resource Optimization*, CC Docket No. 99-200, Memorandum Opinion and Order, 18 FCC Rcd 10946 (2003) (*Connecticut SO Order*).

² See *Numbering Resource Optimization*, CC Docket No. 99-200, Third Report and Order and Second Order on Reconsideration, 17 FCC Rcd 252, 282, paras. 67-69 (2001). For convenience, we refer to both service-specific and technology-specific overlays collectively as specialized overlays or SOs. In a service-specific overlay, numbering resources are assigned to carriers that provide a particular type of service or services, such as unified messaging and/or vehicle response (e.g., OnStar) services. In a technology-specific overlay numbering resources are assigned to carriers that use a particular type of technology or technologies, such as wireless. In both cases, the service providers subject to the SO would not be assigned numbers in the underlying Numbering Plan Area (NPA).

³ Cellular Telecommunications & Internet Association's Petition for Clarification, *Numbering Resource Optimization*, CC Docket No. 99-200 (filed July 16, 2003) (*CTIA Petition*).

⁴ See *Connecticut SO Order*, 18 FCC Rcd at 10946, para 1.

implement a single transitional SO for both the 203 and 860 NPAs.⁵ Telephone numbers in the SOs proposed at that time would have been assigned to wireless and non-geographic sensitive services.⁶ The Commission, however, concluded that prior to the implementation of an SO, the Connecticut DPUC must determine which non-geographic sensitive services will be included in the SO and submit its implementation plan for review and approval by the Wireline Competition Bureau (Bureau).⁷ To date, the Connecticut DPUC has not submitted an implementation plan detailing the services it proposes to include in the SOs.

3. Inasmuch as there is no implementation plan before the Commission that proposes to implement SOs in the 203 and 860 area codes, we dismiss CTIA's Petition as premature.⁸ The petitioner contends that the simultaneous mandate of LNP and approval of the Connecticut DPUC's proposed SOs will result in ports that have no competitive benefit. Yet, the Connecticut DPUC has not filed the necessary documents in order to implement SOs. We do not know whether the Connecticut DPUC intends to pursue implementing the SOs, or which services it would propose to include. It would be speculative to conclude, as the petitioner argues, that customers will avoid the effects associated with the proposed SOs by porting their wireline numbers to a wireless service provider and continue to use the underlying area codes.

4. ACCORDINGLY, IT IS ORDERED, pursuant to sections 1, 4(i) and 251(e) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 251(e), and sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, that CTIA's Petition for Clarification IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Christi Shewman
Acting Chief, Competition Policy Division
Wireline Competition Bureau

⁵ *Id.*

⁶ *Id.*; see also *Local Competition Provisions of the Telecommunications Act of 1996, et al.*, Second Report and Order, CC Docket No. 96-98, 11 FCC Rcd 19392, 19518, para. 285 (1996). Non-geographic sensitive services are telecommunications services, such as On-Star, that do not particularly require numbering resources from the underlying NPA.

⁷ *Id.* at 10949, para. 4.

⁸ *Id.*; see also *Telephone Number Portability*, CC Docket No. 95-116, First Report and Order and Further Notice of Proposed Rule Making, 11 FCC Rcd 8352 (1996).